

**TREMONTON CITY CORPORATION
CITY COUNCIL MEETING
April 4, 2016**

Members Present:

Roger Fridal, Mayor

Diana Doutre

Lyle Holmgren

Jeff Reese

Bret Rohde

Shawn Warnke, City Manager

Darlene S. Hess, Recorder

CITY COUNCIL WORKSHOP

Mayor Fridal called the April 4, 2016 City Council Workshop to order at 6:00 p.m. The meeting was held in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Doutre, Holmgren, Reese and Rohde, City Manager Shawn Warnke, and Recorder Darlene S. Hess. The following Department Heads were also present: Paul Fulgham, Public Works Director, Police Chief David Nance, Building and Zoning Administrator Steve Bench and Food Pantry Director Cathy Newman (arrived at 6:55 p.m.) Councilmember Lyle Vance was excused from the meeting.

1. Review of agenda on the 7:00 pm. City Council Meeting

Mayor Fridal discussed the City Council Agenda for April 4, 2016. The following items were discussed in more detail:

- Mayor Fridal discussed the volunteers at the Food Pantry. He informed the Council that there was available a recognition from the State and he opted to recognize Val and Judy Thompson, Connie Fuller and Wilma Spence here in the City. These individuals are extremely dedicated, hard working, people who willingly serve at the Food Pantry. Councilmember Doutre told the Council that Wilma Spence is ninety-four years old and still working. She is an asset to the community. Ms. Spence will have a special article in this week's The Leader.
- Manager Warnke told the Council that a couple of months ago, the Parks and Recreation Director, Marc Christensen, came to him with the concept of sharing an aerator with the Golf Course. Additionally, it is thought the City and Golf Course could jointly own and share other pieces of equipment like a tiller and ground leveler. This agreement sets the parameters whereby the two entities could share the equipment. Manager Warnke informed the Council that on the upcoming budget, a tractor for the Parks and Recreation Department has been budgeted. He also reported

- To the Council that Public Works has tractor for use; however, it does not work well for the Parks and Recreation's needs of driving on the golf course. The new tractor would help with the aeration of all of our parks. Right now, we are not aerating all of the parks.

Councilmember Doutre asked if this would take money away from other people who have been doing the work in the parks. Manager Warnke told the Council that it would. Currently the City pays around \$2,000 annually for aeration. Discussion followed on the type of aerator the City was going to purchase. Councilmember Holmgren commented that it is better to have one that pulls plugs out and pushes the night crawlers down than one that just pushes holes in the lawn.

Councilmember Rohde asked Manager Warnke to explain the relationship between the Golf Course and the City. Manager Warnke told the Council that the City owns the Golf Course property and has an agreement for the Golf Course to lease the property and run the Golf Course for a long term lease of fifty years. The lease can be canceled at any time.

Councilmember Rohde was asked if the Golf Course costs the City any money. Public Works Director Fulgham told the Council that the City pays for water shares used at the Golf Course which is around \$400 a year for the shares that they use. Sometimes the City helps with snowplowing a little bit in the winter. Manager Warnke told the Council that the nice thing about this relationship is the City does not have a lot of ongoing expense such as maintenance and the Course looks good.

The Council discussed the new fencing at Stevens Park and along the Golf Course. Public Works constructed and installed the fencing and it looks great. Councilmember Reese informed the Council that when the Golf Course was discussed a few years ago, it was decided that in a small community the City is lucky to have an organization to run and take care of the Golf Course compared to what other communities have. Councilmember Rohde asked if the public is open for public play and was informed that the public is welcome to play.

- Manager Warnke told the Council that prior to development, the City implements a Pre-Annexation Agreement with developers. It is a standard template with Special Conditions outlined specific to annexation which typically needs to be completed prior to the commencement of development activities. In this Pre-Annexation Agreement, there are three items that are specific to the Chris D. and Nancy Sorensen annexation:

- 1) Developer shall allow ongoing access by the Bear River Canal Company for its continued maintenance of the canal.
- 2) Developer shall be required to install a storm drain pond that is suitable in circumference and depth to service the entire acreage of the property.
- 3) At a minimum, the developer shall design and construct roads on the

west side of parcel 05-055-0161 and 05-055-0133 that stub into parcel 05-055-0022 to create a road network that provides good vehicle and pedestrian circulation. It is anticipated that the stub road from parcel 05-055-0161 into parcel 05-055-0022 will be a continuation of 500 North or the proximity of 500 North. The exact location of the stub road from 05-055-0133 into 05-022-0022 is to be determined by the City's Land Use Authority Board (LUAB) when parcel 05-055-0133 is platted as a subdivision. Other stub roads shall be determined by the LUAB at the time of subdivision platting.

Manager Warnke told the Council that the next item, Ordinance No. 16-08, annexes real property in to Tremonton and Resolution No. 16-21 amends the Articles of Incorporation to include the property described in the annexation.

- Resolution No. 16-22 is a resolution adopting a Memorandum of Understanding with Box Elder County regarding the City's use of the Box Elder County's Fine Arts Building. Manager Warnke reminded the Council that in 2013, the County and City discussed both entities and the residents benefiting from a land exchange on property surrounding the Fairground, Skyway Golf Course, and Jeanie Steven's Park to allow for the County to construct a new county Indoor Arena. The City authorized the disposal of approximately 2.263 acres of land between the Golf Course and the Fairgrounds. All the conditions were fulfilled except one which was that the County and the City would agree to terms on the City's ability to use the Fine Arts Building. This may include the City's paying for out-of-pocket expenses associated with the use of the building. This MOU is intended to fulfill and memorialize the terms by which the City may use this building.

Councilmembers Reese and Holmgren discussed that this was a good partnership as the County would not have been able to build the building without the City's willingness to provide property. Manager Warnke told the Council that this action took so long due to the cost not being known. Both Councilmember Reese and Councilmember Doutre told the Council that they looked at the cost and they feel it is fair and equitable. Councilmember Doutre said the more we can partner with the County the more it is beneficial on both sides. Councilmember Holmgren told the Council that the Fairgrounds are very well used. He has had to wait two to three weeks to schedule 4H programs due to the use of the Fairgrounds.

- Mayor Fridal informed the Council that Ordinance No. 16-09 is amending the Tremonton City Zoning Map changing the zoning of the property located at approximately 700 West 1200 South containing 6.7 acres from Residential (RR-1) to Residential (R1-10). Steve Bench, Building and Zoning Administrator, told the Council that this property was sold to a developer to wishes to develop lots for single family dwellings. The Planning Commission has reviewed the request and recommends to the Council to change the existing zoning from Rural Resident (RR-1) to Residential (R1-10). Mr. Bench told the Council that the smallest the lots will be is just about 14,000 square feet. So they are good sized lots. There are utilities on both

ends of the property so it will be easy to work with, and the developer has a preliminary plat in for review next week.

Mr. Bench told the Council that the only thing discussed in the public hearing was there are some residents with the back of their property connecting this property. They requested that an alley be put in so they could have access to their backyards. They did not have a problem with the development – just requested an alleyway so they could access their backyards.

Director Fulgham told the Council that there will be a storm drain running down the property to the east of the development which was given to the City years ago by the land owner. Councilmember Dautre commented that there is a little pond on the property also.

Mayor Fridal informed the Council that Ordinance No. 16-20 is an ordinance amending the Tremonton city Revised ordinances Title 9 Licensing, Control and Regulations of Business and Construction creating regulations for mobile food vendors.

Steve Bench discussed the increased requests for mobile food vendors coming to the City. He told the Council that normally, they setup at Archibald's on West Main. Due to the increase, not only in Tremonton but across Utah, we decided an ordinance regulating this business needed to be implemented. Mr. Bench informed the Council that during special events sponsored by the City, they would not be able to locate at the parks unless they were a vendor licensed by the Parks and Recreation Department.

Manager Warnke told the Council that recently a mobile food vendor inquired about operating in the City. Permitting Mobile Food Vendors to operate in the City creates small business opportunities for culinary entrepreneurs and gives them the ability to activate underused public spaces by attracting people to these spaces. He suggested that the City create small business opportunities and to see public spaces such as Midland Square and Shuman Park be utilized and enjoyed by the public.

Manager Warnke stated that by permitting mobile food vendors to operate within City limits, the City needs to establish appropriate standards and regulations to mitigate any associated, undesirable impacts; therefore, regulations/requirements for mobile food vendors were established. The term "Mobile Food Vendors" will not include mobile ice cream vendors.

The Council discussed the two hour at one location requirement. They did not feel it was long enough in one location. After much discussion on two hours is what other municipalities allow, it was determined to leave the two hour limit in place. If it is determined it is not long enough, it can be reviewed and changed at a later date.

Councilmember Reese asked if the City has had problems with the mobile food vendors and Councilmember Holmgren asked if they are required to get all their certifications in order to operate. Mr. Bench reported that vendors have not been permitted to operate on City property in the past; however, he has heard good reviews about their businesses and people are satisfied with the food. The City relies on the Health Department to maintain certification/health requirements for food vendors. They need a business license and vehicles have to be insurance and maintained.

Mayor Fridal asked how they would park. Steve Bench told him that the service window would be facing the sidewalk with nothing hanging out in the road except the size of the vehicle. They need to supply their own garbage cans and cleanup.

Councilmember Holmgren suggested that the City clear out the garbage containers so people will want to spend time in the parks. He told the Council that he is not trying to point any fingers as he knows the crews are very busy. Maybe the Youth City Council could spend a little bit of time cleaning up the parks. It would make things really look good.

- Mayor Fridal discussed the increase of pay to Econo Waste for providing garbage collection and curbside recycling to residents. Manager Warnke told the Council that since 2013, the City has offered an optional recycling program through the contracted service provider of Econo Waste. We were just notified that Hillside Recycling in Deweyville will only be accepting the recycling of cardboard into the foreseeable future. It is the City Staff's understanding that the price of plastic is tied to petroleum costs and currently these two commodities are relatively inexpensive. Consequently, the price in which Hillside Recycling can sell the recycled plastic exceeds the costs to operate the Hillside Recycling Sort Center.

Mayor discussed the reduced price of plastic and it costing Hillside Recycling almost \$10,000 a month. No one can sustain that big of loss. Councilmember Holmgren commented that this is the reason for the increase. Manager Warnke told the Council that the only viable option is for Econo Waste to haul the recyclables collected to the Weber County Facility as they actually charge \$9 a ton less for accepting recycling than Hillside Recycling did. The difference is in mileage and time spent hauling to Weber County.

Manager Warnke informed the Council that an increase of \$480 a month paid to the Econo Waste is needed. It is estimated that the City would need to increase \$0.50 per household participating in the recycling program or \$0.15 increase for every solid waste and recycling can. EconoWaste stated that there is a \$120 per load increase in costs associated with hauling to Weber County or \$480 a month or \$5,760 annually.

Manager Warnke commented that the recycling program provides a benefit to allow residents by extending the life of the Box Elder County Landfill along with other environmental benefits. Councilmember Reese told the Council that he has a hard time increasing the cost of recycling and he does not feel that the costs should be

added to all residents as there are some who did not request recycling. Councilmember Reese reminded the Council they sold the program as a principle and he does not feel it is fair to put the burden on all residents.

Further discussion followed on Hillside Recycling still accepting cardboard/paper and the issue that Blaine Rupp is talking about leasing the building and getting out of the recycling business altogether. The cost of fuel was discussed. Councilmember Reese told the Council that he struggles with this issue. If the price is up, you do not need the increase, and if the price is down, you do. Maybe as a City, we should absorb the costs to see what happens in the future.

Manager Warnke commented that it is tough to make money on recycling. The reason Weber County puts a fee on what other entities bring to them because their sort center is subsidized through Weber County's tax payers. If this is the long term solution to take our recyclables to Weber County at \$60 per hour for two hours then the cost will continue. Councilmember Dautre asked what the Council was going to do if people decide they want to back out of recycling totally? Manager Warnke told the Council that the commitment was for one year. If they want to back out they can. It is a lot like our Secondary Water. There is not enough participation for the people to pay for it and it is a great benefit for the City so the Water Funds subsidizes the Secondary Water.

- The Council discussed Ordinance No. 16-11 amending Title I, Zoning Ordinance of the Tremonton City Corporation Land Use Code, Chapter 1.16 Overlay Zones, Tremont Center Mixed Use Overlay Zone; Chapter 1.03 Definitions adding Assisted Living centers, Memory Care centers, and Nursing Homes; and amending Title I Appendix, Maps, 1.06A and 1.06B of the Transportation Road Plan.

Steve Bench told the Council that the Planning Commission held a public hearing on March 22, 2016 to listen to public comment regarding the proposed changes as follows:

- A. Amending the Tremont Overlay Zone in Chapter 1.16 to include within the permitted uses to Chapter 1.16 Overlay Zones, Tremont Center Overlay Zone, and General Retail in the Uses Table of the Chapter as a permitted use within the overlay zone.
- B. Amending the Porte-Cochere, Portico, or Similar Structures to encroach within the setback requirements in Commercial and Mixed Use Zones as approved through a site plan approval process.
- C. Amending Chapter 1.03 Definitions of the Land Use Code Assisted Living Facilities, Memory Care Centers, and Nursing Homes, and adding within the Uses Tables of the appropriate Residential, Commercial and Mixed Zones, Memory Care Centers as a conditional use.

- D. Amending the Transportation Road Plan adding future alignments for roads and addition of a Main Street Access Management Plan whereas locations on Main Street have been determined where access from Main Street to future development or road network would develop.
- Mayor Fridal discuss a letter to Rocky Mountain Ambulance Sales and Service, Inc. of intent to reserve a 2016 Chevrolet K3500 series chassis 4x4 with box wheeled coach ambulance for the purchase price of \$159,757.00. He told the Council that the purchase was contingent upon the Council appropriating funds for FY 2017. Mayor Fridal asked Blair Westergard to discuss this item with the Council.

Mr. Westergard informed the Council that the lease on the last ambulance purchased will be up in December. It takes a while for the ambulance to be built and made ready, and they want to take possession of the new ambulance in December. The first payment would be made in January. The price is up from the last one we purchased. Mr. Westergard told the Council that we have gone with this company for a few years. Their services are implacable.

Mayor Fridal asked if the Fire Department will be getting rid of one ambulance now. Mr. Westergard told the Council that they will be getting rid of one that has 108,000 miles on it. We have put over 11,000 miles on the ambulance since the first of the year and have made over 300 calls. Mr. Westergard stated that the Fire Department has five ambulances which they have had out this year at one time. They had thirteen calls in a few hours. The Fire Department uses three consistently at one time; however, all five are in good running condition. Mr. Westergard informed the Council that the ambulance they are putting out of commission is in good condition. They plan to bid it out and should bring in around \$3,000.

Councilmember Reese congratulated the Fire Department as they have implemented a rotation process with their equipment. Manager Warnke told the Council that this is a lease agreement with Zions that we usually do. This will increase our monthly fee or we could use some capital funds to pay the cost down. We will just wait until it gets closer to decide what we will do. We will catch up with Curtis Roberts to see if the Fire Department Funds can pay for the cost. Mr. Westergard commented that the Fire Department got a grant last time for \$25,000.

Manager Warnke stated that the ladder truck we have been paying on will be paid off soon. The lease agreement ends in February 2017. The cost was \$700,000 so the purchase of a new truck will not cost that much so there will be a difference there. Discussion followed on the miles used for fire trucks and use of fire trucks.

Councilmember Rohde asked if the City was purchasing the ambulance. Mayor Fridal commented that it is lease to purchase. The City will own the vehicle when the lease is up.

2. Report from the Tremonton/Garland Wastewater Treatment Plant Committee Meeting

Mayor Fridal asked Manager Warnke to inform the Council on what happened at the meeting. Manager Warnke told the Council that they, Mayor Todd Miller and Matt Cutler, talked a lot about several things – mostly timing. Mayor Miller and maybe some staff members from Garland are going to come to the City Council's first meeting in May to give the City Council a report. They have a time schedule. They think they will start on the collection system come this Spring or Summer time. They say the worst case scenario will be that their Treatment Facility will be operational in the Spring/Summer of 2018.

Councilmember Holmgren told the Council that it was a good meeting and very positive. He told the Council that at the meeting, Tremonton asked that they come in and formally tell Tremonton City Council that they are moving forward with their construction. Councilmember Reese commented that he is happy for Garland that they are moving forward; however, he feels they need to know that the location is not favorable. It is the most economical location; however, he does not feel it is the best for the citizens of Tremonton.

3. Discussion and possible direction given to the City staff of future processes, information needed, or other factors for the City Council's future consideration of amending the Wastewater Treatment Impact Fee Ordinance (which may increase impact fees for wastewater treatment)

Manager Warnke told the Council that there are things that they wanted to know along the way. He thinks that the Council has been provided the information they need. This item on the agenda is just to formalize if the Council wants the staff to move forward with the adoption. The only thing that was not prepared is what the fee increase will be. Ultimately we have what the maximum fee will be; however, we talked about adopting something less than that amount.

Councilmember Reese commented that the Council talked about this fee a few weeks ago but nothing was formalized and that something needs to be done.

Motion to adjourn the City Council Workshop by Councilmember Dautre. Second by consensus. Motion approved. Meeting adjourned at 6:55 p.m.

CITY COUNCIL MEETING

Mayor Fridal called the April 4, 2016 City Council Meeting to order at 7:00 p.m. The meeting was held in the Tremonton City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Those in attendance were Mayor Fridal, Councilmembers Dautre, Holmgren, Reese, and Rohde, City Manager Shawn Warnke, and Recorder Darlene S. Hess. The following Department Heads were also present: Public Works Director Paul Fulgham, Police Chief David

Nance, Steve Bench, Building and Zoning and Food Pantry Director Cathy Newman. Also in attendance were: Sid Miller, Blair Westergard and Food Pantry Volunteers Val and Judy Thompson, Connie Fuller and Wilma Spence. Councilmember Vance was excused from the meeting.

1. Opening Ceremony:

Mayor Fridal told the audience that he had received no written or oral request to participate in the Opening Ceremony. He asked anyone who may be offended by listening to a prayer to step out into the lobby for this portion of the meeting. The prayer was offered by Councilmember Rohde and the Pledge of Allegiance was led by Councilmember Doutre.

2. Introduction of guests:

Mayor Fridal welcomed one Scout and one leader from Troop 140 to the meeting.

3. Approval of Agenda:

Mayor Fridal asked if there were any questions or concerns about the Agenda.

Motion by Councilmember Doutre to approve the agenda of April 4, 2016. Motion seconded by Councilmember Reese. Vote: Councilmember Doutre - aye, Councilmember Holmgren - aye, Councilmember Reese – aye and Councilmember Rohde – aye. Motion approved.

4. Approval of minutes – March 1, 2016

Mayor Fridal asked if there were any corrections or additions to the minutes. Being none, he called for a motion to adopt the minutes.\

Motion by Councilmember Reese to adopt the minutes of March 1, 2016. Second by Councilmember Holmgren. Vote: Councilmember Doutre – aye, Councilmember Holmgren – aye, Councilmember Reese – aye and Councilmember Rohde – aye. Motion approved.

5. Public comments: This is an opportunity to address the Council regarding your concerns or ideas. Please limit your comments to three minutes.

Mayor Fridal encouraged the audience to take the opportunity to address the Council. There were no public comments.

Mayor Fridal called the public hearing to order at 7:07 p.m. with nineteen people in attendance.

6. Public Hearing:

- a. Concerning the proposed annexation of real property owned by Chris D. and Nancy Sorensen (Tax ID Nos. 05-055-0133 and 05-246-0011) and Bear River Canal (Tax ID No. 05-055-0125) located within the area defined in the Master Policy Declaration for future expansion by Tremonton City.

Manager Warnke told the Council that the public hearing is associated with the statutory requirements for an annexation. They will be looking at a Pre-Annexation Agreement, Ordinance for annexation and a Resolution to adopt the Articles of Incorporation which will change the boundaries of the City to include this annexed land.

Mayor Fridal asked if the Council had any questions or comments they would like to add. Councilmember Holmgren asked if the Bear River Canal Company knew about this annexation. Jim Christensen commented that they are aware of it as they are contiguous properties.

Mayor Fridal closed the public hearing at 7:09 p.m.

7. Proclamation:

- a. April 29th as Arbor Day.

Mayor Fridal read the 2016 Proclamation “Encouraging the Observance of Arbor Day” to the audience. The Proclamation proclaimed April 29, 2016 as Arbor Day and urged all citizens to support efforts to protect our trees and woodlands and to support our City’s Urban Forestry Program. He further urged all citizens to plant trees to gladden hearts and promote the well-being of present and future generations.

Motion by Councilmember Holmgren to authorize Mayor Fridal to sign the Proclamation that recognizes Arbor Day. Second by Councilmember Rohde. Vote: Councilmember Doutre – aye, Councilmember Holmgren – aye, Councilmember Reese – aye, and Councilmember Rohde - aye. Motion approved.

8. Service Awards:

- a. Sid Miller – 25 Years of Service

Mayor Fridal introduced Sid Miller who has been with the City for twenty-five joyous years. He told the audience twenty-five years is a long time. We appreciate your service to Tremonton City. The Tremonton Leader took pictures of the Mayor and Mr. Miller.

- b. Recognition of Food Pantry Volunteer Service

Mayor Fridal told the audience that he has certificates of Volunteer Recognition and a we appreciate Tremonton Volunteer “Lending Us Your Helping Hands” pin for four very dedicated individuals who are a very important part of the Food Pantry. The Food Pantry would not function without the great people who volunteer there. We are an awesome City due to these individuals. We have Connie Fuller, Val and Judy Thompson, and Wilma Spence. Cathy Newman, Director of the Food Pantry, was also present and expressed her appreciation for these wonderful individuals.

Mayor Fridal asked Wilma Spence if she was a senior volunteer. Ms. Spence told the audience that she is ninety-four years old. Director Newman informed the Council that *The Leader* has a special article coming out Wednesday in the paper recognizing Ms. Spence. She encouraged everyone to read it. Mayor Fridal congratulated these volunteers and *The Leader* took pictures of the group. Mayor Fridal told the Council that he did not know how many volunteers the City had; however, it was very nice.

Director Newman and the Volunteers left the meeting at 7:18 p.m.

9. New Council Business:

- a. Discussion and consideration of approving the February Warrant Register

Mayor Fridal asked the Council if there were any questions or concerns about the Warrant Register. Being none, there was a **motion by Councilmember Holmgren to approve the February Warrant Register.** Second by Councilmember Reese. Vote: Councilmember Dautre – aye, Councilmember Holmgren – aye, Councilmember Reese – aye, Councilmember Rohde – aye. Motion approved.

- b. Discussion and consideration of approving the February Financial Report.

Motion by Councilmember Dautre to approve the February Financial Report. Second by Councilmember Reese. Vote: Councilmember Dautre – aye, Councilmember Holmgren – aye, Councilmember Reese – aye, Councilmember Rohde – aye. Motion approved.

- c. Discussion and consideration of adopting Resolution No. 16-19 approving an equipment purchase and sharing agreement between Tremonton City and Skyway Golf & Country Club

Manager Warnke told the audience that this is an agreement for both entities to share resources on pieces of equipment that is used periodically. As discussed in the Work Session, we do have an interest in seeing the Golf Course well maintained as the City owns the property that is leased to the Skyway Golf

Course. It really benefits both organizations. We hope to add pieces of equipment that we see fit.

Motion by Councilmember Rohde to adopt Resolution No. 16-19 as stated in the Resolution. Second by Councilmember Doutre. Roll Call Vote: Councilmember Holmgren – aye, Councilmember Rohde – aye, Councilmember Reese – aye, Councilmember Doutre – aye. Motion approved.

- d. Discussion and consideration of adopting Resolution No. 16-20 approving Chris D. and Nancy Sorensen Pre-Annexation Agreement for Parcel Numbers 05-55-0161, 05-055-0133, and 05-246-0011

Mayor Fridal asked if there were any question or comments. Councilmember Reese replied no as they had discussed it in detail in the Work Session. **Motion by Councilmember Reese to adopt Resolution No. 16-20.** Second by Councilmember Rohde. Roll Call Vote: Councilmember Holmgren – aye, Councilmember Rohde – aye, Councilmember Reese – aye, Councilmember Doutre – aye. Motion approved.

- e. Discussion and consideration of adopting Ordinance No. 16-08 annexing real property, specific parcel numbers 05-055-0161, 05-055-0133, 05-246-0011 and 05-055-0125 to Tremonton, Utah

Motion by Councilmember Holmgren to adopt Ordinance No. 16-08 annexing this real property to Tremonton. Second by Councilmember Doutre. Roll Call Vote: Councilmember Holmgren – aye, Councilmember Rohde – aye, Councilmember Reese – aye, Councilmember Doutre – aye. Motion approved.

- f. Discussion and consideration of adopting Resolution No. 16-21 amending its Articles of Incorporation to include specifically parcel numbers 05-055-0161, 05-055-0133, 05-246-0011, and 0-055-0125 to Tremonton, Utah

Motion by Councilmember Reese to adopt Resolution No. 16-21. Second by Councilmember Holmgren. Roll Call Vote: Councilmember Holmgren – aye, Councilmember Rohde – aye, Councilmember Reese – aye, Councilmember Doutre – aye. Motion approved.

- g. Discussion and consideration of adopting Resolution No.16-22 approving a MOU with the Box Elder County for use of the Fine Arts Center

Mayor Fridal asked if there were any questions or comments on this item. Councilmember Doutre told the Council that she had a comment that the City Council appreciates partnering with the County on this issue. It is truly a win-win situation.

Motion by Councilmember Doutre to adopt Resolution No. 16-22. Second by Councilmember Rohde. Roll Call Vote: Councilmember Holmgren – aye, Councilmember Rohde – aye, Councilmember Reese – aye, Councilmember Doutre – aye. Motion approved.

- h. Discussion and consideration of adopting Ordinance No. 16-09 amending the Tremonton City Zoning Map changing the zoning of the property located at approximately 700 West 1200 South containing 6.7 acres from Residential (RR-1) to Residential (R1-10)

Mayor Fridal asked the Council if they had any questions on this item. Councilmember Rohde told the Council that he thinks it is a great idea. **Motion by Councilmember Rohde to adopt Ordinance No. 16-09.** Second by Councilmember Doutre. Roll Call Vote: Councilmember Holmgren – aye, Councilmember Rohde – aye, Councilmember Reese – aye, Councilmember Doutre – aye. Motion approved.

- i. Discussion and consideration of adopting Ordinance No. 16-10 amending the Tremonton City Revised Ordinances Title 9 Licensing, Control and Regulations of Business and Construction creating regulations for Mobile Food Vendors

Councilmember Holmgren told the Council that he thinks this is a good idea as they have had a lot of good feedback from the vendors that have worked in Tremonton on private property. By opening this up, it should draw people to the downtown area.

Motion by Councilmember Holmgren to adopt Ordinance No. 16-10 amending the Tremonton City Revised Ordinance to allow for Mobile Food Vendors. Second by Councilmember Reese. Roll Call Vote: Councilmember Holmgren – aye, Councilmember Rohde – aye, Councilmember Reese – aye, Councilmember Doutre – aye. Motion approved.

- j. Discussion and consideration of increasing payment to EconoWaste, the City's contractor providing garbage collection and curbside recycling to residents. EconoWaste's request for an increased payment coincides with increase operational costs in providing curbside recycling

Manager Warnke informed the Council that this information came in late Thursday night. If it is approved, City staff will need to bring the change for ratification back to the Council in the form of an amendment to the Consolidated Fee Schedule. Councilmember Holmgren asked Manager Warnke to review this information.

Manager Warnke told the audience Tremonton City was the first municipality in Box Elder County to implement recycling which started about two years ago. Since that time, other municipalities have started to use recycling. This service is

provided by the City's contracted service provider, EconoWaste . EconoWaste picked up the material and took it to Hillside Recycling in Deweyville for processing. With the price change in fuel prices, it has changed the price of what they can sell recycled plastic for. It has created a hardship on Hillside Recycling; therefore, they have decided to continue with cardboard but do away with their plastic recycling. With Hillside Recycling not handling all materials, it has caused EconoWaste to find a new entity to receive and sort through the recyclables. The most viable place to take the recyclables is Weber County. The increase in cost that EconoWaste is requesting is attributed to having to transport the recyclable materials to Weber County.

Councilmember Rohde told the Council that he believes in recycling and that the Council made the right decision to provide this service. If there is going to be an increase for recycling, he thinks it should be on the people who are participating not the group as a whole. Councilmember Doutre told Councilmember Rohde that you could turn this around. You could say that people who are recycling are doing the right thing so they should not be paying more.

Councilmember Reese told the Council that he does not feel justified in increasing garbage fees at this; however, he will go with what the Council wants to do. Councilmember Holmgren commented that what is being proposed to do is add \$0.50 for those who are recycling or add \$0.15 for all citizens. Recycling is a good thing to do.

Councilmember Rohde told the Council that there is a third answer – for the City to absorb the increase at \$480 per month or \$5,780 per year.

Motion by Councilmember Holmgren that for a period of one year, Tremonton City pay the increase curbside costs for recycling. This decision to be reevaluated after one year. Second by Councilmember Reese. Roll Call Vote:

Councilmember Holmgren – aye, Councilmember Rohde – aye, Councilmember Reese – aye, Councilmember Doutre – nay. Motion approved.

- k. Discussion and consideration of adopting Ordinance No. 16-11 amending Title I Zoning Ordinance of the Tremonton City Corporation Land Use Code, Chapter 1.16, Overlay Zones, Tremont Center Mixed Use Overlay Zone; Chapter 1.03 Definitions adding Assisted Living Centers, Memory Care Centers, and Nursing Homes; and amending Title I Appendix, Maps, 1.06A and 1.06B of the Master Road Plan

Mayor Fridal asked Steve Bench to discuss this item. Mr. Bench told the Council that the amendments include 1) Porte-Cochere, Portico or Similar Structures to allow structures that are open on three sides; however, attached to the building to encroach within the setbacks in Commercial and Industrial zoning. 2) In Chapter

1.16 amended to allow General Retail in the Uses Table of the Chapter. This will allow general retail. 3) Amended to add Definitions in the Land Use Code to include Assisted Living Facilities, Memory Care Centers and Nursing Homes and adding within the Uses tables of the appropriate Residential, Commercial, and Mixed zones. 4) Amending the Transportation Road Plan adding future alignments for roads and addition of Main Street Access Management Plan doing changes and additions. Adding two maps.

Councilmember Rohde asked with the definitions of terms, instead of elderly persons if a person wants to do assisted living and also memory care will this cause any issues if they want to combine two of these facilities? Lora Barrell told the Council that with the highest level of care in Memory Care Centers they have to allow a spouse of one of these patients to be there. It has to ensure that the health and safety of the patients are taken care of.

Mr. Bench told the Council that what is being proposed here is Assisted Living with sixteen beds that could have a person living there that needs memory care also. Councilmember Rohde commented that he wanted to make sure that the Ordinance did not make a problem for the new facility so they would have to go through a conditional use again to include that care.

Manager Warnke told the Council that if the Barrell's applied for everything at the beginning, then they could receive approval for all of those uses. Councilmember Reese asked Councilmember Rohde if he was okay with this process. Councilmember Rohde told him he was. Steve Bench and Manager Warnke have done a lot of work brining this together.

Motion by Councilmember Rohde to adopt Ordinance No. 16-11 with the four sub categories that have been mentioned in the ordinance. Second by Councilmember Dautre. Roll Call Vote: Councilmember Holmgren – aye, Councilmember Rohde – aye, Councilmember Reese – aye, Councilmember Dautre – aye. Motion approved.

1. Discussion and consideration of authorizing Mayor Fridal to sign a letter of Intent to purchase a 2016 Chevrolet K3500 series chassis 4x4 with box size 153x95x72 wheeled coach ambulance

Councilmember Reese commented that he had no question about this action as it has been in the Council's plan on replacement.

Motion by Councilmember Reese to authorize Mayor Fridal to sign a Letter of Intent to purchase a 2016 Chevrolet K350 ambulance. Second by Councilmember Rohde. Vote: Councilmember Holmgren – aye, Councilmember Rohde – aye, Councilmember Reese – aye, Councilmember Dautre – aye. Motion approved.

10. Comments:

- a. Administration/City Manager Advise and Consent.

Nothing to report

- b. City Department Head Reports

Nothing to report

- c. Council Reports:

Councilmember Holmgren told the audience that on April 29th in recognition of Arbor Day, the City plans to plant trees. If anyone is interested in participating or volunteering to help, he invites them to come help us out.

Mayor Fridal suggested that the City strip the road on 2300 West and install speed limit signs along the road.

Mayor Fridal talked about the Park on the Malad River by J. D. Harris' home. Someone had called about volunteering for a service project. Have them get in contact with the Mayor.

Mayor Fridal called for a motion to move to a closed session at 7:34 p.m. **Motion by Councilmember Doutre.** Second by Councilmember Holmgren. Vote: Councilmember Holmgren – aye, Councilmember Rohde – aye, Councilmember Reese – aye, Councilmember Doutre – aye. Motion approved.

11. **CLOSED SESSION:**

- a. *Strategy session to discuss the purchase of real property when public discussion of the transaction would disclose the appraisal or estimated value of the property under consideration or prevent the public body from completing the transaction on the best possible terms.*

- b. *Strategy session to discuss pending or reasonably imminent litigation*

Motion by Councilmember Doutre to move to an open session. Second by Councilmember Reese. Vote: Councilmember Holmgren – aye, Councilmember Rohde – aye, Councilmember Reese – aye, Councilmember Doutre – aye. Motion approved. The Council moved to an open session at 8:07 p.m.

12. Adjournment

Motion by Councilmember Dautre to adjourn the meeting. Second made by Councilmember Reese. Vote: Councilmember Dautre – aye, Councilmember Holmgren – aye, Councilmember Reese – aye, Councilmember Rohde – aye. Motion approved. The meeting adjourned at 8:08 p.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes for the City Council Meeting held on the above referenced date.

Dated this _____ day of _____, 2016.

Darlene S. Hess, Recorder